



# Harlan County Board Minutes



Supervisor's Room, Alma, NE

Tuesday November 5<sup>th</sup>, 2014

The Harlan County Board of Supervisor's met in regular session Tuesday November 5<sup>th</sup>, 2014 with JD Schluntz, Max Schultz, Lonny Hanna, Rodney Metzger, Doug Horwart, Traci Dietz, and Gary Dunse. Also in attendance were County Clerk Janet Dietz, Deputy County Attorney Melodie Bellamy, Road Secretary Kelsi Bose, and Cathy House from the Harlan County Journal. Chairman Horwart called the meeting to order and stated that there is a copy of the open meetings act posted in the room and will be followed by the Board. Clerk Janet Dietz took all proceeding while the convened meeting was open to the public.

Minutes from the October 21<sup>st</sup>, 2014 meeting were reviewed. Chairman called for any additions or corrections. Motion made by Metzger, 2<sup>nd</sup> by Dunse to approve as written. Roll call votes, all ayes. Motion carried.

The morning was spent auditing claims. Motion was made by Dietz, 2<sup>nd</sup> by Hanna to approve claims. Roll call votes, all ayes. Motion carried.

County Road Secretary, Kelsi Bose attended the meeting as Road Superintendent was attending county weed training. No ROW or Driveway permits were supplied. Kelsi brought to the Board the Caterpillar 12-M3 Finance agreement for review. Road Committee and Road Superintendent had met and discussed the (3) year, (4) year, or (5) year lease, with interest rate of 2 & ¼%. Budget payments and accelerated payments were discussed. Motion was made by Hanna to accept the (5) year lease. JD. Schluntz reviewed the previous months minutes where the motion was "to buy" as the county can't borrow money. JD Schluntz suggested using the "various budgeted" funds to pay for the grader. Deputy County Attorney suggested that option would be a "wrongful purchase" according to the state statue **23-312. Insufficient funds; compliance with budget; wrongful purchase, effect.** Except in an emergency, which the county board shall declare by resolution, no order for delivery on a contract on open market order for personal property or services for any county department or agency shall be awarded until the county clerk is satisfied that the unencumbered balance in the fund concerned, in excess of all unpaid obligations, is sufficient to defray the cost of such order or contract or the county clerk is satisfied that the purchase is one contemplated in the terms of the county budget as set up by the county board. Whenever any officer, office, department, or agency of the county government shall purchase or contract for any personal property or services contrary to the County Purchasing Act, such order or contract shall be void. The county officer or the head of such department or agency shall be personally liable for the costs of such order or contract and, if already paid for out of county funds, the amount may be recovered in the name of the county in an appropriate action.

**Source:** Laws 1943, c. 57, § 8, p. 230; R.S.1943, § 23-324.06; R.S.1943, (1983), § 23-324.06; Laws 1985, LB 393, § 12.

Deputy County Attorney advised with a wrongful purchase, Board members could be liable for the grader purchase. Deputy County Attorney also advised that if the County Clerk would determine towards the



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“end of budget” that there is unencumbered funds in the budget, additional or extra payments could be made. Hanna’s motion was the 2<sup>nd</sup> by Metzger. Roll call votes; Dietz-yes, Dunse-yes, JD. Schluntz-no, M. Schultz-yes, Hanna-yes, Metzger-yes, and Horwart-yes. Motion carried.

Discussion was moved to resolutions on vacating or closing roads. Deputy County Attorney advised on vacating, land reverts back to owner, and closing, in which the county would still be liable and still have to maintain. Road Superintendent and County Board will review and decided which route to do.

Mark Hedrick, with Washington National Insurance came to the Board with a request to meet with the County employees. Mark discussed options/plans and setting up meeting times. Mark will contact the road department and Clerk for scheduling.

Meeting moved to the Taylor Manor Subdivision request. Ron Melbye, Harlan County Zoning Administrator, joined the meeting to answer any questions. Harlan County Planning Commission has met approving the request and recommending approval of the subdivision application by the Harlan County Board. Clerk presented Resolution 2014-24 requesting a public hearing on said subdivision. ( a completed copy is available in the Clerk’s office) Motion was made by Hanna, 2<sup>nd</sup> by Metzger to approve Taylor Manor Subdivision public hearing set for December 2<sup>nd</sup> 2014 at 2:30 pm. Roll call votes, all ayes. Motion carried.

Extension Agent Tony Andersen joined the meeting to request appointments to the Harlan County Extension Board in Supervisor’s Districts (3) and (4). Clerk has received (2) names. Dea Wilson for District #3, and Mary Jo Radil for District #4. Motion made by Hanna, 2<sup>nd</sup> by Metzger, to accept the applications. Roll call votes, all ayes. Motion carried.

County Treasurer Diane Grotfelt brought to the Board a claim for repayment of American Recovery Reinvestment Act funds. (Title V-D) This will repay to the Dept. of Health and Human Services. Repayment is for \$259.22. Motion made by Dietz, 2<sup>nd</sup> by Dunse to make the repayment. Roll call votes, all ayes. Motion carried.

County Clerk presented the Board with a fee report from the District Court and County Clerk/ Register of Deeds.

Old business brought up by Max Schultz. Max is concerned with Contryman’s performing both the audit and budget, possibly being a “conflict of interest”. Deputy County Attorney discussed it being a “grey area” as rural areas have limited choices.

Chairman Horwart adjourned the meeting at 2:39 p.m. Next meeting is November 18<sup>th</sup> at 10:00 am.  
(harlancounty.ne.gov)

Attest,

Janet Dietz, Harlan County Clerk

Doug Horwart, Chairman



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## CLAIMS

### General Fund

Anderson, Klein, Swan & Brewster, court appt. atty. fees, \$389.50; Jeff Artz, mileage, \$5.00; Shirley Bailey, clerical, \$210.00; Bauer-Torrey & Mach Funeral Home, transport, \$260.00; Melodie Bellamy, cell phone, \$20.00; Roger Benjamin, court appt. atty. \$342.00; Kelsi Bose, mileage, \$11.20; Lee Bose, mileage, \$7.84; Business World Products, supplies, \$55.91; CEI Security, service, \$545.00; Carpenter Paper Co, supplies, \$684.64; Cenex Credit Card Card, fuel. \$1,559.02; Central Nebraska Cremation & Mortuary Service, fees, \$275.00; City Of Alma, utilities, \$237.00; Clerk of District Court, fees, \$32.00; Community Int.-Megavision, \$49.95; Co-Oportunity Health, ins, \$10,812.49; Dept Health Human Serv. refund, AARA, \$259.22; Janet Dietz, cell-phone, \$45.00; ES & S, ballots, \$8,333.79; Eakes, maint. \$124.05; FoxTrax, equip. \$170.91; Harlan County Court, \$117.00; Harlan County Extension, \$1,251.59; Harlan County Health System, meals, \$497.00; Harlan County Sheriff's Office, service fees, \$37.00; Harlan County Treasurer, phone, \$2,108.89; Hogeland's Market, supplies, \$ 97.47; Holdrege Electric, maint. \$150.00; Lancaster County Sheriff, service fees, \$19.18; Linda Lewton, mileage, \$11.76; M & B Business Machine Service, copies, \$ 139.50; MIPS, data proc., \$1,096.28; John Maas Construction repairs, \$122.50; Main Street Media, pub, \$43.20; Pam Meisenbach, reimb, mile. \$210.84; NACO, training, \$1,320.00; NPPD, utilities, \$778.11; NAPA Auto Parts, parts, \$129.00; Nebraska Institute of Forensic Sciences, INC, autopsy, \$1,800.00; New Victorian Suites, TERC room, \$129.98; Office Solutions, supplies, \$1,077.49; Traci Payne, cont.serv. \$1,019.00; Person & McQuay Law Office, phone, rent, salary, \$6,000.94; Protocall, supplies, \$140.00; Republican Valley Animal Center, dogs, \$75.20; Nicole Robinson, laundry, \$35.75; Shell Fleet plus, fuel, \$250.83; Short Stop, fuel, \$35.37; State of NE-As Central, data proc. \$614.60; Taser International, cameras; \$1,213.76; The Lincoln National Life, ins, \$330.03; The Standard, ins. \$615.69; Tripe Motor Inc. service. \$152.80; U. S. Bank, supplies, \$306.66; Verizon, phone, \$305.84; Kim Wessels, meals, \$21.28; Salary & Wage, \$68,694.56

### ROAD FUND

AG Valley, supplies, \$18.94; Bosselman Energy, fuel \$14,884.96; Cat Financial, repairs, \$2,098.59; CHS Agri Service, supplies, \$1,596.87; City of Alma, utilities, \$51.43; Co-Oportunity Health ins, \$4,540.39; James Dietz, retirement, \$ 25.00; Willis Dietz, retirement, \$ 14.40; Harlan County Treasurer, phone, \$133.10; Holdrege Auto Parts, \$148.38; Huntley Service, parts, \$8,053.29; John Deere Financial, parts, \$1,076.88; M J Lubeck, rent, \$150.00; MIPS, program, \$110.84; Main Street Media, ads, \$16.00; Main Street Variety, supplies, \$11.07; Mid West Service & Sales, fence, \$955.62; NACO, regist. \$120.00; NMC Exchange, supplies, \$733.58; Newman Traffic Signs, signs, \$2,990.00; Northern Safety Co, supplies, \$1,733.38; Overhead Door, \$205.00; Quill Corp, supplies, \$416.84; RoadRunner Tire, tires, \$407.00; Rowekamp, mnt/support, \$333.00; S & W Auto parts, supplies, \$ 696.16; Stamford Services, fuel, \$ 126.00; The Lincoln National Life Ins. \$149.75; The Standard- dental ins. \$371.69; Tripe Motor Co. supplies, \$42.15; Twin Valleys Public Power Dist. Elec. \$152.75; Verizon, phone, \$ 67.36; Village of Republican City, water, \$ 28.15; White's Auto Glass, \$ 557.04; Salary & Wage, \$ 29,663.50

### WEED FUND



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CHS, supplies, \$4.17; Harlan County Treas., phone, \$49.63; Main Street Media; ad, \$142.50; Salary, \$750.00.

## **TOURISM FUND**

Pat Underwood, computer expense, \$419.24; Bulldog, LLC computer updates, \$35.00; Salary, \$ 900.00.

## **Predator Control**

USDA-APHIS, \$549.59

## **SERVICES FOR AGING**

Harlan County Senior Center, Public transit, \$ 937.30; Community action, \$ 600.00

## **911 Emergency Funds**

City of Holdrege, \$ 1,184.97

## **Communication Equip Sinking Fund**

Modern Kitchens, desk, cabinet's court room, \$3,155.00; MAAS Construction labor, \$2,034.57

## **Lottery Fund**

Safe Center, domestic, \$1,000.00